

REMARKS

Claims 1, and 3-20 are pending in the Application. Claims 1, 7, 18 and 19 are herein amended. Claims 2 and 3 are canceled. No new matter has been added.

The Examiner objected to Claim 7 because of informality. Applicant has corrected Claim 7 to have the missing period.

On page 2 of the Office Action Claims 1-7, 12 and 18-20 are rejected under 35 U.S.C. §102(b) as being anticipated by Karcsak (U.S. Patent No. 1,706,576), and it states “Karcsak (‘576) discloses a button fastener comprising: a base (11) with a bottom surface; and a plurality of legs (14) connected to the base, wherein the plurality of legs extends from the bottom surface of the base; and wherein each leg of the plurality of legs is able to pass through a button hole”. (Office Action Page 2). The Applicant notes that the reference designator (11) is described by Karcsak (‘576) as being “a button” and not a part of the fastener. (see line 44). Therefore, Applicant assumes that the Office Action was referring to reference designator (13) that is described as being “a bar portion 13 integrally connecting right angled members 14” as being a “base” of the fastener. (see lines 50-52).

Although the Applicant disagrees with this characterization of the “bar portion 13” being a “base”, Applicant has amended Claim 1 to include the limitations of Claims 2 and 3; wherein the “base is in the shape of a ring.” It is clear that “bar portion 13” is not a base “in the shape of a ring”, as the fastener of Karcsak (‘576) is disclosed to be a “single round metallic wire fastener ... presenting a bar portion 13 integrally connecting right angled members 14”. (see lines 49-52 and FIG. 3). As the bar portion 13 is not “in the shape of a ring”, Karcsak (‘576) cannot

anticipate Claims 1 and 4-7. Accordingly, the rejections of Claims 1 and 4- 7 are believed to have been overcome, and reconsideration and allowance thereof is respectfully requested.

In addition, it is clear that “bar portion 13” is not a base “in the shape of a flat plate” as required by Amended Claims 18 and 19. Once again, Karcsak’s (‘576) base, if any, must be the “bar portion 13” which cannot be considered as “in the shape of a flat plate.” Accordingly, the rejections of Claims 18 and 19 are believed to have been overcome, and reconsideration and allowance thereof is respectfully requested.

On page 3 of the Office Action, Claim 12 is rejected under 35 U.S.C. §102(b) as being anticipated by Karcsak (‘576), and it states “a cover (16) to fit over a distal end of each of the plurality of legs.” However, reference designator 16 is not a “cover to fit over a distal end”, but is specifically stated to be a “flexible ring 16” which is “slipped over the elements 14, as best seen in Figure 2, and then the prongs are passed through the material 10.” Karcsak’s (‘576) “flexible ring 16” does not “cover” the distal end of the leg 14, but instead rings around both legs (14) to pull them together. The rings 16 and 17 are shown in FIG. 3 and are not the “cover” as shown by reference designator 302 of the current application. (See Pak application, FIG. 3). Quite to the contrary, Karcsak (‘576) states “the function of the ring 16 is that of a spacer, holding the button slightly away from the material, and the ring 17 acts to confine the prongs, preventing the button to be pulled off or away from the fabric.” (see lines 74-79). Accordingly, Karcsak (‘576) cannot anticipate the cover of Claim 12, and thus the rejection of Claim 12 is believed to have been overcome, and reconsideration and allowance thereof is respectfully requested.

On page 3 of the Office Action, Claims 8-11 and 13-17 are rejected under 35 U.S.C. §103(a) as being anticipated by Karcsak ('576) in view of Purinton (U.S. Patent No. 1,797,619) and it states Karcsak ('576) discloses the claimed button fastener except for wherein the base includes a top surface with a colored coating having a pattern." Continuing on page 4 of the Office Action, it states "Purinton ('619) teaches a button fastener having a base having colored coating (see lines 77-85, and Figure 1) having a pattern." The Applicant respectfully traverses the characterization that "Purinton ('619) teaches a button fastener", as it does not. Rather, Purinton ('619) teaches an "ornamental button" having a base having colored coating, but it does not teach an "ornamental fastener" having a base having a colored coating. (see lines 1-8, and Figure 1).

Purinton ('619) specifically states "[i]n Figs. 1 and 2, there may be seen a button 1 that is preferably formed of aluminum." (see lines 62-63, and Figure 1). Purinton ('619) does not disclose a "button fastener" comprising "a base with a bottom surface" having "a plurality of legs connected to the base" as required by Amended Claim 1. Furthermore, there is no suggestion, motivation or teaching in Purinton ('619) to apply the detailed process of layering, spraying, painting, baking, and stenciling the ornamental button to a "fastener" such as described in Karcsak ('576), which only discloses a single round metallic wire fastener ...presenting a bar portion 13." (see Karcsak, lines 49-52 and FIG. 3.). Accordingly, Claims 8-11 and 13-17 are believed to be allowable.

For all of the above reasons, the rejections and objections are believed to have been overcome, placing Claims 1 and 3-20 in condition for allowance, and reconsideration and allowance thereof is respectfully requested.

Application No. 10/757,310  
Filed: 01/14/2004  
Attorney Docket No.: PAK-001

The Examiner is encouraged to telephone the undersigned to discuss any matter that would expedite allowance of the present application.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Adam C. Underwood", written over a horizontal line.

Date: June 22, 2005

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